

ARKWOOD, INC.  
Omaha, Arkansas

Briefing Paper

HISTORY/RESPONSIBLE PARTIES

- Hallie C. Ormond, the site owner, constructed a pentachlorophenol and creosote wood-treating facility in about 1961. Mr. Ormond operated the treatment plant individually until 1965, when he formed the Arkwood, Inc., corporation.
- In 1973, Mass Merchandisers, Inc. (MMI) purchased the assets of Arkwood, Inc. and operated the treatment facility while leasing the lands from Ormond until 1984.
- Four PRPs identified:
  - Hallie C. Ormond - previous landowner
  - MMI - Operator
  - C.C. (Bud) Grisham - general manager and major stockholder of Arkwood, Inc. (Ormond's ex-son-in-law).
  - Mary F. Burke - current landowner (Grisham's sister).

ENDANGERMENT/ADMINISTRATIVE ORDER

- Preliminary investigations indicate high levels of PCP and polynuclear aromatic hydrocarbons such as fluorene and naphthalene, are present in on-site disposal areas. These contaminants have been found to ~~have~~ be carcinogenic, embryotoxic and/or mutagenic ~~effects~~.
- The Administrative Order signed on August 3, 1987, ordered the PRPs to restrict access to the site by erecting approximately 200 linear feet of fence and posting warning signs. Additionally, signs will be posted off-site at Cricket Spring, where the public maybe exposed to contaminated surface water.
- During response to comments, QA/QC problems were discovered in the data used to document a release to groundwater.

NPL LISTING ISSUES

- Proposed to NPL in September, 1985.
- MMI submitted comments on the proposal in November, 1985. The comments concerned waste quantity calculations and the hydrogeology of the area.
- Bill Doshier, attorney for Grisham, Ormond, and Burke, has repeatedly written contesting the appropriateness of promulgating the site on the NPL.

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- Arkwood was not promulgated to the NPL in the July 22, 1987, rulemaking, and is still in a proposed status. During the response to comments, QA/QC problems were discovered in the data used to document a release to groundwater. Headquarters is currently evaluating the site ranking in light of this information. If significant changes to the ranking package are required, the site will be repropose to allow the public the opportunity to comment on the new material.

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STATUS OF RI/FS

- MMI entered into consent order with EPA to conduct site RI/FS on May 15, 1986.
- From about June, 1985 to the present day, Grisham, acting as legal agent for the landowner, refused to grant MMI access agreements for the duration of the RI/FS.
- Site Investigation has come to a standstill due to the lack of site access.
- In August, 1986, the Arkansas Department of Pollution Control and Ecology (ADPC&E) filed suit against site PRPs for site investigation and clean-up.
- In their responses to the suit filed by the ADPC&E, both MMI and the Ormond-Grisham-Burke PRP group denied any liability for the site.
- In February 1987, MMI filed motions in Arkansas State Court primarily to gain site access and prevent the site owner from undertaking any onsite activities which could interfere with the RI/FS process.
- In April 1987, in response to a referral by EPA, DOJ filed similar motions for site access in Federal District Court in Harrison, Arkansas.

## NPL LISTING ISSUES

- Proposed to NPL in September, 1985.
- MMI submitted comments on the proposal in November, 1985. The comments concerned waste quantity calculations and the hydrogeology of the area.
- Bill Doshier, attorney for Grisham, Ormond, and Burke, has repeatedly written contesting the appropriateness of promulgating the site on the NPL.
- Arkwood was not promulgated to the NPL in the July 22, 1987, rulemaking, and is still in a proposed status. Issues uncovered in the preparation of the response to comment are under review. (EPA has tasked FIT to resample some of the offsite locations). If significant changes to the ranking package are required, EPA policy requires reproposal to allow the public the opportunity to comment on the new material.

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- Proposed to NPL in September, 1985.
- MMI submitted comments on the proposal in November, 1985. The comment regarding quantity of wastes at the site, will result in lowering the site's HRS score. However, the score is expected to be high enough to still be promulgated.
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